RENE L. VALLADARES 1 Federal Public Defender Nevada State Bar No. 11479 2 RACHEL KORENBLAT Assistant Federal Public Defender 3 411 E. Bonneville, Ste. 250 Las Vegas, Nevada 89101 4 (702) 388-6577/Phone (702) 388-6261/Fax 5 Rachel_Korenblat@fd.org 6 Attorney for Gary Anderson 7 UNITED STATES DISTRICT COURT 8 DISTRICT OF NEVADA 9 UNITED STATES OF AMERICA. Case No. 2:18-cr-85-JCM 10 Plaintiff, **UNOPPOSED MOTION TO MODIFY** 11 **CONDITIONS OF PRETRIAL** v. **RELEASE** 12 GARY ANDERSON, (Expedited Treatment Requested) 13 Defendant. 14 15 Certification: This Motion is timely filed. 16 The defendant, Gary Anderson, by and through his attorney of record, Rachel Korenblat, 17 Assistant Federal Public Defender, moves pursuant to 18 U.S.C. § 3142(c), 3145(a)(2) to 18 modify his conditions of pretrial release to allow him to leave the halfway house and reside at 19 an apartment or a short-term lease residence. Neither Pretrial Services nor the government 20 oppose the relief requested. This Motion is based on all prior proceedings and the attached 21 memorandum of points and authorities. 22 DATED this 30th day of April, 2018. 23 RENE L. VALLADARES Federal Public Defender 24 By: /s/ Rachel Korenblat 25 RACHEL KORENBLAT 26

Assistant Federal Public Defender Attorney for Gary Anderson

Memorandum of Points and Authorities

Upon receiving a target letter dated July 17, 2017, Mr. Anderson began working with the Federal Defender's Office to resolve the government's planned charge(s) relating to Receipt and Distribution of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(2). Ultimately, Mr. Anderson signed a plea agreement to plead guilty to that charge in an information for conduct that occurred in January through May 2016. (ECF No. 6 (plea agreement).) On April 19, 2018, Mr. Anderson pled guilty to the information pursuant to the plea agreement. (ECF Nos. 4, 9.) Also on that date, this Court released Mr. Anderson on a Personal Recognizance ("PR") Bond with pretrial release conditions. (ECF Nos. 2, 9.) At issue here is condition 23—that Mr. Anderson shall maintain residence at the halfway house as Pretrial Services considers necessary. (ECF No. 2 at 3.)

The Court had ordered Mr. Anderson reside in the halfway house because of the presence of his minor son in the family's home. Mr. Anderson has the means to move from the halfway house into an apartment or a short-term lease residence. The PR Bond's other restrictions, such as that he is only allowed to be around his minors with another adult present and location monitoring, will assure this Court the safety of the community. Additional assurance is the fact that there are no allegations whatsoever regarding any impropriety with Mr. Anderson's son, the length of time from the conduct and Mr. Anderson's guilty plea, and his diligence resolving this case once he received the target letter.

Mr. Anderson's Pretrial Officer, Zack Bowen, and the government do not oppose this request.

Conclusion

Based on the above, Mr. Anderson respectfully requests this Court grant his motion to allow him to leave the halfway house and reside in an apartment or a short-term lease residence.

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DATED this 30th day of April, 2018.

Respectfully submitted, RENE L. VALLADARES Federal Public Defender

By: /s/ Rachel Korenblat
RACHEL KORENBLAT
Assistant Federal Public Defender
Attorney for Gary Anderson

UNITED STATES DISTRICT COURT

1 2 **DISTRICT OF NEVADA** 3 UNITED STATES OF AMERICA, 4 Plaintiff, 5 v. 6 GARY ANDERSON, 7 Defendant. 8 9 10 cause, 11 12 13 residence. DATED May 1, 2018. 14 15 Eliu C. Mahan 16 17 18 19 20 21 22 23 24 25

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Case No. 2:18-cr-85-JCM

ORDER TO MODIFY CONDITIONS OF PRETRIAL RELEASE

Based on the Motion to Modify Conditions of Pretrial Release ("Motion"), and good

IT IS HEREBY ORDERED that the Motion is GRANTED. Pretrial Services shall allow Mr. Anderson to leave the halfway house to reside in an apartment or a short-term lease

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on April 30, 2018, she served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO MODIFY CONDITIONS OF PRETRIAL RELEASE** (**EXPEDITED TREATMENT REQUESTED**) by electronic service (ECF) to the person named below:

DAYLE ELIESON United States Attorney RICHARD ANTHONY LOPEZ Assistant United States Attorney 501 Las Vegas Blvd. South Suite 1100 Las Vegas, NV 89101

/s/ Lauren Conklin
Employee of the Federal Public Defender

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